

# Move to Counter Fulbright Investigation on Tonkin Cites Secret Intelligence

By JOHN W. FINNEY

Special to The New York Times

WASHINGTON, Jan. 20—The Administration has been seeking to dissuade Senator J. W. Fulbright from pursuing his inquiry into the 1964 Gulf of Tonkin incidents by suggesting it has secret intelligence information confirming that American destroyers were attacked by North Vietnamese PT boats.

Shortly before Christmas, it was learned, the Administration sent Paul H. Nitze, Deputy Secretary of Defense, to Capitol Hill with the mission of persuading Senator Fulbright to call off the inquiry by the Senate Foreign Relations Committee staff into the Tonkin incidents.

In a private meeting with Mr. Fulbright, the committee chairman, Mr. Nitze was understood to have argued that the Administration had conclusive proof that North Vietnam had ordered a deliberate attack against the destroyers Maddox and Turner Joy on the night of Aug. 4, 1964, in the Gulf of Tonkin.

## Radio Messages Cited

As part of the proof, Mr. Nitze was said to have cited "special intelligence" information, consisting of North Vietnamese radio messages monitored by United States electronic intelligence stations.

The incidents — an attack Aug. 2 on the Maddox and an attack Aug. 4 on the Maddox and Turner Joy — marked a decisive turning point in the American involvement in the Vietnam war. After the second incident, the Administration ordered the first bombing strikes against North Vietnam and obtained Congressional approval of a resolution endorsing "all necessary measures" taken by the Administration to prevent further aggression.

The Fulbright inquiry, quietly under way for nearly six months, will reach its own decisive turning point Wednesday at a meeting of the Foreign Relations Committee. At the meeting, Senator Fulbright will present the results of his inquiry thus far and ask for a decision by the committee on whether it wants to undertake a formal investigation of the incidents.

In response to inquiries, the Defense Department refused to confirm or deny the existence of such "special intelligence" information, saying only that the Administration had "verified evidence" that the destroyers had been attacked before ordering retaliatory air strikes against North Vietnam.

It was not immediately clear whether the electronics intelligence cited by Mr. Nitze in mandating the North Vietnamese PT boats to attack the destroyers or whether such intelligence information was available to the Administration prior to its decision to retaliate against North Vietnam.

## Orders An Inquiry

In any event, it was apparent that Senator Fulbright did not find the intelligence information persuasive. A few days after the meeting with Mr. Nitze he publicly announced that he had ordered the committee staff to conduct an inquiry to "clear up uncertainties" about the Gulf of Tonkin incidents.

Within the committee, Mr. Fulbright is likely to find himself in a difficult political position. Personally, he is known to believe that a further investigation may be warranted, but he cannot advocate this step too forcefully without being accused of wanting to undertake a personal vendetta against the Administration on its Vietnam policy.

Furthermore, the informal Fulbright inquiry presents, as one committee member put it, "a crisis of conscience" for the committee.

The majority of the committee members are critical of the Administration's Vietnam policy and inclined to be skeptical in retrospect about the Administration's accounts and use of the Gulf of Tonkin incidents. But at the same time, even the Vietnam war critics on the committee have serious reservations about how far they should go in re-examining the Gulf of Tonkin incidents and thus seem to impugn the integrity of the Administration in the midst of a war.

In an interview this week, Senator Fulbright made clear that he intended to take a passive role in the committee meeting. He insisted that he had not reached any conclusions as a result of his inquiry and said he was leaving it up to "the

committee to decide in its wisdom whether the issue was worth pursuing."

The committee's decision is likely to be influenced in large measure by a staff report to be submitted at the meeting. Based on ship logs, messages and other information made available by the Defense Department. The staff study is a detailed, chronological account of the two engagements with some analysis of the reliability of the evidence used by the Administration in reaching its decision.

The staff report is said not to question that the second attack took place, but it is believed to raise questions as to whether

the Administration had conclusive proof of the attack before ordering, some eight hours after the attack was concluded, retaliation against North Vietnam.

In large measure, the Defense Department's case, as presented to the committee staff, reportedly rests on two pieces of evidence: radar tracks of small, fast craft paralleling and then closing in on the destroyers and sonar detection of "numerous" torpedoes fired at the destroyers. The basic question being raised, at least by implications in the staff report, is whether this evidence was conclusive and reliable enough to warrant the Administration's decision.

There is some evidence, uncovered in the staff study, that the destroyer radars were encountering atmospheric interference during the Aug. 4 engagement. Even assuming the radar was working correctly, however, the question remains whether the radar tracks were proof of attack or showed only that the North Vietnamese craft were engaging in harassing or perhaps menacing maneuvers.

The evidence of attack is thus largely reduced to the sonar detection of the torpedoes. But a question is being raised as to the reliability of the sonar, particularly in detecting such a small, fast object as a torpedo moving near the surface. Privately, some defense officials who have examined all the evidence are acknowledging that the sonar reports of "numerous" torpedoes undoubtedly were erroneous and that "at most two or more likely only one torpedo" was fired at the destroyers.

The "special intelligence" information cited by Mr. Nitze, therefore, could become of crucial importance in buttressing the Administration's case. But if such information is available, it has not yet been presented to the committee staff, although the Defense Department reportedly had promised the staff it would turn over "all available evidence."

One possible explanation for the Administration's reluctance to provide the "special intelligence" information may be that to admit that such information was available would raise a question as to whether the Maddox and Turner Joy were on "routine patrol" in the Gulf of Tonkin, as repeatedly asserted by the Administration.

Shortly before the Aug. 2 incident, the Maddox reportedly took aboard at Taiwan a large "black box" of electronic equipment operated by a special crew. Presumably the "black box" contained equipment for monitoring North Vietnamese radio and radar signals.

radio and radar signals.